



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes

Plan Commission

Wednesday, September 28, 2016

6:00 PM

Council Chambers

Pursuant to Section 19.84(2) and (3) of the Wisconsin Statutes, notice is hereby given to the public, to the Herald-Times-Reporter, the official newspaper of Manitowoc, and to those news media who have filed a written request for this notice that a meeting of the above-referenced will be held at the date, time and location listed above.

The above governmental body will meet to discuss and possibly take action on the agenda items set forth below.

I. CALL TO ORDER

The Meeting of the City Plan Commission was called to order by Acting Chairman Dan Hornung at 6:00 pm.

II. ROLL CALL

Present: 6 - Dave Diedrich, Daniel Hornung, Dan Koski, Jim Muenzenmeyer, Dennis Steinbrenner and Peter Dorner

Absent: 2 - Jim Brey and Mayor Nickels

Staff Present: Nic Sparacio, Paul Braun, Tyler Caulum, Lisa Mueller

Others Present: Vince Cassiani, Cassandra Lipinski, Renee St. Laurent, Barbara Koch, Raymond Bieberitz, Lucia Bieberitz, Kris Cisler, Don Cisler, Charles Sontag, Steve Weber, Jeanne Runnoe, Paul Phillips, Laura Wilke, Glendon Werner, Gerry Neuser, Gary Underwood, Paul Kluncker, Martina Enriquez, Guillermo Ramirez, Tim Terp, Carl Knutson

III. APPROVAL OF MINUTES

[16-0818](#) Approval of the Minutes of the August 24th, 2016 Meeting.

Moved by Diedrich, seconded by Koski, that the Minutes of the August 24, 2016 Meeting be approved. The motion carried by the following vote:

Aye: 6 - Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

IV. PUBLIC INFORMATIONAL HEARINGS

[16-0819](#) PC 27-2016 Amendment to the Official Map for a portion of Unimproved Edgewood Road pursuant to § 62.23(6).

P. Braun explained that the City-initiated public informational hearing is for a portion of dedicated but unimproved Edgewood Road. The subject area

is located at the west end of the Edgewood Road and is approximately 4,400 square feet in area. P. Braun stated that the owner would like to construct a garage in the Official Map Street area and that the existing driveway is currently located in the subject area.

P. Braun explained that the subject area was dedicated in 1960 when Forest Estates Subdivision #1 was platted. It's assumed that Edgewood Road was planned to extend further to the west, but when Forest Estates Subdivision #2 was platted the street connection was not needed and was never vacated. The Plan Commission was introduced to the street vacation and Official Map amendment at the August Commission meeting and the street vacation process was initiated at that time.

P. Braun stated that the City Engineering Department and various utilities have provided written documentation stating that they don't have any need for any utility easements in the subject area. The only easement area that will be retained will be a 10 foot easement that runs along the west line of the subject area which was created when Forest Estates Subdivision #1 was platted.

D. Koski stated that he will abstain from the discussion because he is the owner of the residence at 1130 Tanglewood Road which abuts the subject area.

P. Braun informed the Commission that notices were mailed out to abutting property owners and that no comments were recieved.

Acting Chairman D. Hornung opened the public informational hearing, there were no comments.

Moved by Diedrich, seconded by Dorner, to recommend approval of the Official Map amendment. The motion carried by the following vote:

Aye: 5 - Member Diedrich, Member Hornung, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

Abstain: 1 - Member Koski

V. REFERRALS FROM COMMON COUNCIL: None

VI. OLD BUSINESS

ROLL CALL

Present: 7 - Jim Brey, Dave Diedrich, Daniel Hornung, Dan Koski, Jim Muenzenmeyer, Dennis Steinbrenner and Peter Dorner

Absent: 1 - Mayor Nickels

[16-0798](#)

PC 25 - 2016: Resolution Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property.

N. Sparacio reviewed the differences and relationships between the zoning map and the Comprehensive Plan Map of Future Land Use. N. Sparacio provided an update on the proposed amendment to the Future Land Use Map. Two smaller areas are now being proposed as Planned Mixed Use with the locations related to potential development proposals. Representatives of the property owners and of one of the two development proposals were present to explain their conceptual plans.

G. Underwood representing Red Arrow Products, the current property owner, presented his conceptual plan for development of the property. The site is expected to support \$25 million of office and residential development on as many as 24 lots. An additional interior street is anticipated that would connect Johnston Drive with a fourth leg of the planned roundabout at Waldo Boulevard. The concept includes public access to the natural areas including parking and trails. This is all conceptual, and additional due diligence is required.

Vince Cassiani representing Americare Senior Services and Angelus Retirement Villages presented his conceptual plan for the area of the former Elks clubhouse and parking lot. The Angelus Village apartment recently constructed in the Village of Hobart is the prototype for the Manitowoc project in terms of building design, site design, and interior appointments. The existing building would be demolished to make way for a 52 unit Residential Care Apartment Complex with 2 to 3 stories in one building. The projected project cost is \$6.5 million, and 30 jobs will be created to support operations.

N. Sparacio reviewed some alternative approaches for the Plan Commission. They could approve the originally requested amendment to the Map of Future Land Use (the larger area), they could approve the modified request (the two smaller areas), they could direct staff to create a different area, or they could deny the request. The process is that the Plan Commission passes a resolution and forwards it to Council. The Council then holds a public hearing on an ordinance to adopt the amendment.

D. Hornung asked how the existing zoning on the clubhouse site affects the proposed apartments. N. Sparacio stated that it is currently zoned C-1, so assisted living is allowed with approval of a Conditional Use Permit. J. Muenzenmeyer noted the potential for future development could impact the lake views from the proposed apartment. Because the proposed amendment has changed substantially since the last meeting, D. Hornung opened the floor for public comments.

The following individuals spoke to the Plan Commission: Steve Weber (212 E Parkview Lane) and Raymond Bieberitz (204 E Parkview Lane). There was support for the changes to the proposed amendments to the Map of Future Land Use and concern over the impact of development on wildlife, increased traffic, and opening the door for even more development in the future. G. Underwood stated that his intent is to keep the western portion of the property as wildlife habitat. V. Cassiani stated that the apartment project should spur additional high quality development in the area. D. Hornung closed the floor for public comments and returned the discussion to the Plan Commission.

N. Sparacio explained that the site is best planned in a comprehensive fashion, but a developer is not likely to be motivated to do that without some assurance that a larger area will be modified on the Map of Future Land Use. From the developer perspective, the original request is best. However, if the response from the property owners is to be balanced, then the updated request for the smaller areas at least provides a start. Discussion ensued regarding the various options, the neighborhood concerns over open space preservation, the access points, and future streets. For these reasons, the Commissioners support the modified request.

Moved by Steinbrenner, seconded by Dorner, to approve the amendment to the Comprehensive Plan Map of Future Land Use in the area of 200 East Waldo Blvd. from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor as shown on the attached map. In addition, the Plan Commission approves the related resolution. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

Abstain: 1 - Member Diedrich

[16-0898](#)

PC 20-2016: Consideration of the final development plan for the Manitowoc County Expo Grounds / Meijer, Planned Unit Development pursuant to 15.750 of the Municipal Code.

P. Braun explained that at the July Plan Commission meeting the Commission recommended approval of the Conditional Use Permit for the General Development Plan for the Meijer Planned Unit Development (PUD). Prior to the PUD being finalized the Commission and Council must, within 24 months, approve the Final Development Plan. The PUD implementation plan will be between Meijer and the City, the County will not be party to the agreement. Meijer will purchase the lots from the County in October or November and then the Final Development Plan will be executed between Meijer and the City.

P. Braun explained that the Commission must determine if the Final Development Plan is in conformance with the General Development Plan; P. Braun continued to state that the two plans are in conformance with one another and that the only items to be finalized are the exhibits in the Final Development Plan.

Moved by Diedrich, seconded by Brey to approve the Final Development Plan for the Manitowoc County Expo Grounds / Meijer Planned Unit Development and to instruct staff to complete, sign, and record any and all necessary documents to finalize said Final Development Plan after Meijer takes title to the property. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

[16-0901](#)

PC 29 - 2016: Manitowoc County / Meijer Certified Survey Approval and Dedication of Dewey Street and Meijer Drive.

P. Braun explained to the Commission that the certified survey is related to the Meijer development that will occur on the Expo Grounds. Meijer wants to be 100% certain that they will have access to public streets before they purchase the lots from Manitowoc County. P. Braun stated that because the certified survey will be the document used to dedicate the street rights-of-way the survey will need to have approvals from both the Plan Commission and Common Council. Historically, the City would accept street right of way dedication by a separate quit claim deed, but in this case, it made more sense to accept dedication using the certified survey as the dedicating instrument.

P. Braun commented that the survey is labeling the road to the south as Meijer Drive but he is recommending that the street name suffix be Lane and not Drive.

Moved by Brey, seconded by Koski, to recommend approval of the Certified Survey and accept the dedication of Dewey Street and Meijer Lane. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

[16-0904](#)

PC 34-2016: Revision to Chapter 15.270 B-3 General Business District to allow Outside Storage & Sales as a Conditional Use Permit.

N. Sparacio introduced the proposed ordinance amendment to Section 15.270 of the Zoning Code. If approved, the amendment would conditionally allow outdoor sales and display as a primary use (meaning that no other principle use or structure would be required on the parcel) in B-3 General Business districts. The amendment was requested due to a compliance order issued by the City. There is a parcel in a B-3 district that is conducting outdoor sales and display, and this does not comply with the current Zoning. If the Zoning Code is amended, they would have an

opportunity to comply.

N. Sparacio further explained that the staff recommendation is to not adopt the ordinance amendment. Staff finds that such uses do not require City services or infrastructure, do not create the additional tax base that helps support the related costs, and thus should not be allowed in additional districts as principle uses.

The Commission discussed the potential positives and negatives of allowing outdoor sales and display as principle uses in B-3 districts throughout the City. J. Brey stated that he supports allowing for such uses in B-3 districts if they are regulated with a Conditional Use Permit.

Moved by Brey to deny the staff report recommendation and approve a text amendment to Chapter 15.270 B-3 General Business District to allow Outside Storage & Sales as a Conditional Use Permit. Motion Failed for lack of a second.

The Commission further discussed the motion and what would happen if the item was placed on file.

Moved by Diedrich, seconded by Muenzenmeyer, to accept the staff recommendation and place the item on file. The motion carried by the following vote:

- Aye:** 6 - Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner
- Nay:** 1 - Alderperson Brey

[16-0799](#)

PC 25-2014: Ramirez Auto and Towing 1545 S. 41st Street. Annual Review of a Conditional Use Permit for the Operation of a Wrecker Service in the C-1 Commercial Zoning District.

T. Caulum provided an update on the annual review of a Conditional Use Permit for a Wrecker Service in a C-1 Commercial Zoning District for Ramirez Auto and Towing.

Staff will make a final inspection at the Ramirez's property prior to the October Plan Commission meeting to determine the next action to take regarding the CUP.

This Item was Discussed. No Action taken.

VII. NEW BUSINESS

[16-0899](#)

PC 28 - 2016: Cisler Petition for Annexation for property along Springhill Drive - South Rapids No. 2 Annexation.

P. Braun provided the background information regarding the proposed annexation. Donald and Kristine Cisler have submitted a Unanimous Consent Annexation petition to the City for a 0.12 acre strip of land that is

adjacent to their residence located at 4261 Springhill Drive. The Cisler's purchased the strip of land to increase the size of their yard to allow them the ability to construct a storage shed.

P. Braun stated that the strip is currently in the Town of Manitowoc Rapids with a land value of \$3,200 with an annual tax bill of \$53.06 with the towns' share of the bill being \$7.32. The City will have to pay the town \$7.32 for the next five years per statute. There are no residents or improvements in the subject area and the proposed City's zoning designation will be R-4 Single and Two Family residential which is consistent with the adjacent properties. P. Braun concluded by stating the Common Council must adopt the annexation ordinance by a 2/3 vote only after receiving a letter from the Wisconsin Department of Administration stating that the annexation is in the best interest of the public.

Moved by Brey, seconded by Dorner, to approve the annexation petition as presented and place a temporary zoning designation of R-4 Single and Two-Family Residential on the subject parcel. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

[16-0900](#)

PC 30 - 2016: Lamar, Proposed Non-Animated Billboard located at the Northeast Corner of Dewey and S. 30th Streets pursuant to 15.450(14)h(3).

P. Braun explained to the Commission that Lamar Advertising, on behalf of the property owner Dabboc, LLC, has applied for a special permit for a non-animated billboard to be located at the northeast corner of Dewey and S. 30th Streets. The Plan Commission, pursuant to section 15.450(14) of Municipal Code has authority to issue the special permit for off-premise signs and billboards. The property is zoned I-2 Heavy Industrial, the I-2 district allows billboards if the requirements stated in the Municipal Code are met.

P. Braun stated that the billboard would be double faced, measuring 238 square feet. Each face would be 23 feet wide and 10' 9" high, the height of the sign would be 35 feet. Lamar has provided all the information required in the Code including a landscaping plan which shall be 2 times in area as compared to the sign square footage. P. Braun concluded by stating that the billboard meets all the criteria of the Municipal Code and that it may be moved slightly further north away from Dewey Street due to an existing easement.

Moved by Diedrich, seconded by Steinbrenner, to issue the special permit for the placement of one non-animated billboard as depicted in the sign application packet. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

[16-0903](#)

PC 33 - 2016: Revision to Zoning Code 15.450 to allow the Plan Commission authority to vary maximum size of animated signs with Special Use Permit approval.

N. Sparacio explained the background to the request. The matter was brought to the attention of the Plan Commission in July by a business along the Calumet Avenue frontage road that would like to replace its animated sign with one that exceeds the maximum size limit in the Zoning Code. The Plan Commission then directed staff to develop ordinance language that would allow for such consideration under the Special Use Permit process.

N. Sparacio explained the draft amendment to the Zoning Code. The amendment is written to clarify the language allowing the Plan Commission to waive or grant exceptions to certain dimensional standards when approving a special use permit for an animated sign. This includes the ability to waive the current maximum sign area. The amendment also includes criteria to evaluate on a site specific basis before waiving standards or granting exceptions.

Moved by Steinbrenner, seconded by Brey, to approve the adoption of the proposed ordinance amending the existing language of the animated sign section in the zoning code. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

[16-0902](#)

PC 32 - 2016: Pursuant to § 66.23(5) City of Manitowoc Purchase of Property for Alley Purposes, 1010 Lincoln Boulevard.

T. Caulum introduced the purchase of property for alley purposes and described the location of the alley. The alley was repaired by the City, however a portion of the alley extended onto an adjacent property owner's land. In May of 2016, the Public Infrastructure Committee approved the City of Manitowoc's purchase of approximately 400 square feet of land from said property owner.

D. Koski answered questions concerning the reconstruction of the alley and the property owner of the land being purchased.

Moved by Diedrich, seconded by Koski, to approve the City of Manitowoc's purchase of property for alley purposes. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Laurent, NE 1/4, SW 1/4 Section 4, Township 19 North, Range 24 East Town of Manitowoc
2. Umnus, NE 1/4, SE 1/4 Section 28, Township 19 North, Range 23 East Town of Manitowoc Rapids.
3. Stecker, Government Lot 1, Section 19, Township 19 North, Range 23 East, Town of Manitowoc Rapids.

C. Summary of Site Plans From August 16, 2016 to September 16, 2016.

1. SP 13 – 2016: Burbey CPA LLC, parking lot construction 1102 – 1106 S. 8th Street.
2. SP 14 - 2016: Broadwind Towers – Paint Room, 500 S. 16th Street.
3. SP 15 – 2016: Late's BBQ – Building Addition; 1924 S. 9th Street.

D. Director's Report.

N. Sparacio provided a Director's Report to the Commission via email. There were no questions by the Commissioners.

IX. ADJOURNMENT

Moved by Dorner, seconded by Diedrich, that the Meeting be adjourned at 7:40 pm. The motion carried by the following vote:

Aye: 7 - Alderperson Brey, Member Diedrich, Member Hornung, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Dorner

Respectfully Submitted,

Paul Braun
Secretary

CAUTION TO PLAN COMMISSIONERS: The documents attached to this agenda are for your review in preparation for the City Plan Commission meeting to be held on the above date. Any discussion or communication between members of the Plan Commission by any means prior to the Commission meeting regarding these documents may be a violation of the open meeting laws.